

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 14-00461 SOM
	)	
Plaintiff,	)	ORDER GRANTING DEFENDANT DAVID
	)	BUCHANAN'S MOTION TO CONTINUE
vs.	)	MITTIMUS
	)	
DAVID K. BUCHANAN,	)	
	)	
Defendant.	)	
	)	

**ORDER GRANTING DEFENDANT DAVID BUCHANAN'S MOTION TO  
CONTINUE MITTIMUS**

Defendant David Buchanan has moved to continue mittimus to plan and attend a second funeral service for his mother, who passed away on April 1, 2019. This court expresses its heartfelt condolences to Buchanan and grants his motion. Mittimus is stayed until May 6, 2019.

It is the court's understanding that a first funeral service is scheduled for April 20, 2019, two days before the April 22 date by which Buchanan was previously ordered to report to FDC Honolulu to begin serving the revocation sentence imposed on him. That first funeral service is apparently being conducted on the island of Molokai, although Buchanan's mother's most recent residence was with Buchanan on Oahu, and, before her death, he was planning to have her and his father live with his wife and cousin on Oahu while he served his prison term. The

court is allowing Buchanan to take the short flight to Molokai for the first funeral service.

Buchanan has indicated that a second funeral service is planned for Oahu on May 6, 2019, and he expects other relatives who possibly could not attend the Molokai service to attend the Oahu service. He says that he is the person who needs to plan that second service, although his father and siblings will presumably be in attendance.

The mittimus date of April 22, which was about a month after the hearing at which his supervised release was revoked, represented an unusual delay in the start of serving a revocation prison term. That delay was an accommodation by this court to allow him to assist his parents in settling into a new residence on Oahu. Buchanan does not say whether those plans have been upended, or whether his mother's health had already so deteriorated that, at the sentencing hearing last month, he was already anticipating her likely death. Nevertheless, because her precise date of death could not have been predicted, this court expects that there is a considerable amount to do in the weeks after her death.

This court acknowledges the serious concerns expressed by the United States. Those concerns echo concerns raised by the Probation Officer to this court and shared by the Probation Officer with the attorneys on both sides. Buchanan's underlying

conviction was for fraud, and, while on supervised release, he committed further dishonest acts. At his revocation sentencing hearing, his Probation Officer expressed concern that Buchanan needed to address payments to him by the Social Security Administration and work on an amended tax return, and the court so directed Buchanan. This court nevertheless thinks that the two-week continuance requested by Buchanan is modest enough that this court grants his request, particularly because of the court's concern about the needs of other grieving family members.

IT IS SO ORDERED.



/s/ Susan Oki Mollway  
Susan Oki Mollway  
United States District Judge

United States of America v. David K. Buchanan  
CR. NO. 14-00461 SOM, ORDER GRANTING DEFENDANT DAVID BUCHANAN'S  
MOTION TO CONTINUE MITTIMUS